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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 VERNON WAYNE MCNEAL,

11 Plaintiff,

No. CIV S-05-0441 GEB EFB P

12 vs.

13 EVERT, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff is a prisoner without counsel suing for alleged civil rights violations. *See* 42
17 U.S.C. § 1983. Currently under consideration are plaintiff's April 28 and May 5, 2008, requests
18 for additional time to file a pretrial statement. The requests are denied as unnecessary.

19 On November 14, 2007, the court issued an order amending the schedule governing this
20 case. The order stated that pretrial dates would be set, if necessary, upon the resolution of any
21 dispositive motions the parties filed. The order did not set a date for plaintiff to file a pretrial
22 statement and there currently is no such pending date. On May 30, 2008, defendants filed a
23 motion for summary judgment, and time for plaintiff to file an opposition or a statement of no
24 opposition currently is running. In short, plaintiff is not under any obligation to file a pretrial
25 statement. His requests must be denied as unnecessary.
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1 Accordingly, it hereby is ORDERED that plaintiff's April 28, and May 5, 2008, requests
2 for additional time to file a pretrial statement are denied as unnecessary.

3 Dated: July 10, 2008.

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5 EDMUND F. BRENNAN
6 UNITED STATES MAGISTRATE JUDGE
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